

1 BUCHALTER NEMER
ROBERT E. IZMIRIAN (SBN: 53805)
2 CRAIG C. CHIANG (SBN: 209602)
A Professional Corporation
3 55 Second Street, Suite 1700
San Francisco, CA 94105-3493
4 Telephone: (415) 227-0900
Fax: (415) 227-0770
5 Email: rizmirian@buchalter.com; cchiang@buchalter.com

6 Attorneys for Chapter 11 Trustee
KYLE EVERETT

7
8
9 **UNITED STATES BANKRUPTCY COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **OAKLAND DIVISION**

12 In re

13 PACIFIC THOMAS CORPORATION, dba
14 PACIFIC THOMAS CAPITAL, dba
SAFE STORAGE

15 Debtor.

Case No. 12-46534 MEH

Chapter 11

**AMENDED CERTIFICATE OF
SERVICE**

16 I am employed in the County of San Francisco, State of California. I am over the age of
17 18 and not a party to the within action. My business address is at BUCHALTER NEMER, A
18 Professional Corporation, 55 Second Street, Suite 1700, San Francisco, CA 94105-3493.

19 On the date set forth below, I served the foregoing document described as:

20
21 **MOTION FOR ORDER REQUIRING TURNOVER AND DISCLOSURE OF**
RECORDED INFORMATION UNDER 11 U.S.C. § 542(E)
22 **(RANDALL WHITNEY, PACIFIC TRADING VENTURES, JILL WORSLEY)**

23 **DECLARATION OF KYLE EVERETT IN SUPPORT OF MOTION FOR ORDER**
REQUIRING TURNOVER AND DISCLOSURE OF RECORDED INFORMATION
24 **UNDER 11 U.S.C. § 542(e)**

25 **NOTICE OF MOTION FOR ORDER REQUIRING TURNOVER AND DISCLOSURE**
OF RECORDED INFORMATION UNDER 11 U.S.C. § 542(E)

26
27 on all other parties and/or their attorney(s) of record to this action by placing a true copy thereof
28 in a sealed envelope as follows:

1 Randall Whitney
1818 Mt. Diablo Blvd., Suite D
2 Walnut Creek, CA 94596
E-Mail: randall@pacificthomas.com
3

Jill Worsley
30 Creek Tree Lane
Alamo, CA 94507-1916
E-Mail: worsleyjill@hotmail.com

4 Randall Whitney
5215 Masonic Avenue
5 Oakland, CA 94618-2631
E-Mail: randall@pacificthomas.com
6

Jill Worsley
1818 Mt. Diablo Blvd., Suite D
Walnut Creek, CA 94596
E-Mail: worsleyjill@hotmail.com

7 Randall Whitney
2615 East 12th Street
8 Oakland, CA 94601
E-Mail: randall@pacificthomas.com
9

Lynette C. Kelly
U.S. Office of the U.S. Trustee
1301 Clay St.
Oakland, CA 94612
lynette.c.kelly@usdoj.gov

10 Kyle Everett
235 Pine St. #1150
11 San Francisco, CA 94104
keverett@dsi.biz
12

Anne-Leith Matlock
Matlock Law Group, P.C.
1485 Treat Blvd. #200
Walnut Creek, CA 94597
leith@matlocklawgroup.com

13 ☒ **BY MAIL** I am readily familiar with the business' practice for collection and
14 processing of correspondence for mailing with the United States Postal Service. The address(es)
15 shown above is(are) the same as shown on the envelope. The envelope was placed for deposit in
16 the United States Postal Service at Buchalter Nemer in San Francisco, California on **April 12, 2013**. The envelope was sealed and placed for collection and mailing with first-class prepaid postage on this date following ordinary business practices.

17 ☒ **BY EMAIL** On **April 11, 2013**, I caused the above-referenced document(s) to be sent in
18 electronic PDF format as an attachment to an email addressed to the person(s) on whom such
19 document(s) is/are to be served at the email address(es) shown above, as last given by that
person(s) or as obtained from an internet website(s) relating to such person(s), and I did not
receive an email response upon sending such email indicating that such email was not delivered.

20 Roger Huddleston
c/o Nicholas P. Hulchiy
21 Belzer, Hulchiy & Murray
3650 Mt. Diablo Blvd., 1130
22 Lafayette, CA 94549-6820

Pacific Trading Ventures
dba Safe Storage Management Company
1818-D Mt. Diablo Blvd.
Second Floor
Walnut Creek, CA 94596

23 20 Largest Unsecured Creditors

24 Darrow Family Partners
Thomas Capital Investments
25 Buhla R. Darrow Trust
Thomas Koolaupoko Inv.
26 A.M. Tarbell Trust
Edwin Thomas Revocable Living Trust
27 c/o Darrow / Whitney
1600 Ala Moana #1112
28 Honolulu, HI 96815

Summit Bank
2969 Broadway
Oakland, CA 94694

1	Richard Douglas Worsley 31012 Dulce Temecula, CA 92592	Wendel, Rosen, Black & Dean LLP 1111 Broadway, 24th Floor Oakland, CA 94607-4139 Attn: Elizabeth Berke-Dreyfuss, Esq.
3	CBRE, Inc. 355 S. Grand Ave., Suite 2700 Los Angeles, CA 90071	KCA Engineers, Inc. 318 Brannan Street, St # 2 San Francisco, CA 94107
6	Baird Holm Attorneys At Law 1500 Woodmen Tower Omaha, NE 68102	Timothy Brophy, CPA, MBA 395 Civic Drive, Suite 5 Pleasant Hill, CA 94523
8	Wendel Roesn Black & Dean, LLP P.O. Box 2047 Oakland, CA 94604-2047	Charles M. Salter Associates, Inc. 130 Sutter St, Suite 500 San Francisco, CA 94104
10	BKD, LLP 8001 Broadway, Suite 400 Merrillville, IN 46410-5552	Environmental Science Assoc., Inc. 350 Frank Ogawa Plaza, Suite 300 Oakland, CA 94612
12	Bank of the West PO Box 515274 Los Angeles, CA 90051-6574	Doris Rydman 1320 Pearl St. Alameda, CA 94501
14	DMJM Harris/Korve Engineering, Inc. 1178 Paysphere Circle Chicago, IL 60674	

Secured Parties

17	Alameda County Treasurer & Tax Collection 1221 Oak Street Oakland, CA 94612	Jacol LLC et al c/o The Bowers Group 3201 Danville Blvd. Suite 170 Alamo, CA 94507
20	Private Mortgage Fund LLC 23586 Calabasas Road #100 Calabasas, CA 91302	

Equity Holders

23	Stephen Thomas Worsley 2458 Pamino Way Pleasanton, CA 94566	Roger W. Worsley 1997 Ascot Drive #B Moraga, CA 94556
----	---	---

Request for Notice

Bank of the West
Robert B. Kaplan, Esq.
Walter W. Gouldsbury III, Esq.
Jeffer Mangels Butler, & Mitchell LLP
Two Embarcadero Center, 5th Floor
San Francisco, CA 94111

Eric A. Nyberg, Esq.
Chris D. Kuhner, Esq.
Kornfield, Nyberg, Bendes & Kuhner, P.C.
1970 Broadway, Suite 2675
Oakland, CA 94612
Counsel for Summit Bank

Frank T. Pepler
DLA Piper LLP (US)
555 Mission Street, Suite 2400
San Francisco, CA 94105
Counsel for Planned Parenthood Mar Monte

McCarthy & Holthus, LLP
1770 Fourth Avenue
San Diego, CA 92101
Counsel for Bank of America N.A.

Deutsche Bank National Trust Company
c/o Darlene C. Viqil
Barrett Daffin Frappier Treder & Ieiss
20955 Pathfinder Rd., Ste. 300
Diamond Bar, CA 91765-4029

Mark T. Domeyer, Esq.
Miles, Bauer, Bergstrom & Winters, LLP
1231 East Dyer Rd. 1100
Santa Ana, CA 92705-5643
*Counsel for U.S. Bank National Association, as Trustee,
The Bank of New York Mellon, as Trustee, U.S. Bank
National Association, as Trustee & Bank of America*

Edward Weber
Routh Crabtree Olsen, PS
1241 East Dyer Road, Ste. 250
Santa Ana, CA 92705-5611
*Counsel for The Bank Of New York Mellon & U.S.
Bank National Association, as Trustee*

Matthew R. Clark
Pite Duncan, LLP
4375 Jutland Drive Suite 200
PO Box 17933
San Diego, CA 92177-7921
*Counsel for US Bank National Association, as
Trustee, Wells Fargo Bank, Bank of America,
HSBC Bank USA & JPMorgan Chase Bank*

Mujeres Unidas y Activas
c/o Stephanie Willett
Morrison & Foerster
3548 18th Street, #23
San Francisco, CA 94110-1678

Mujeres Unidas y Activas
c/o Morrison & Foerster LLP
Attn: Kristin A. Hiensch
425 Market Street
San Francisco, CA 94105-2482

Capital One, N.A.
Joshua Scheer
Scheer Law Group
155 I Redwood Dr. 1100
San Rafael, CA 94903-1966

Dean R. Prober
Prober and Raphael
20750 Ventura Blvd. 1100
Woodland Hills, CA 91364-6207
Counsel for Bank of America

Bayview Loan Servicing, LLC,
c/o Edward G. Schloss
3637 Motor Avenue, Suite 220
Los Angeles, CA 90034-4884

Jennifer Wong
McCarthy & Holthus, LLP
1770 Fourth Avenue
San Diego, CA 92101-2607
*Counsel for Wells Fargo Bank, N.A., & Ocwen
Loan Servicing LLC*

Private Mortgage Fund LLC
c/o Scott E. Gizer
Early Sullivan Wright Gizer & McRae
6420 Wilshire Blvd., 17th Floor
Los Angeles, CA 90048-5545

Interested Parties

Timothy Brophy
395 Civic Drive, Suite J
Pleasant Hill, CA 94523-1951

Pacific Trading Ventures, Ltd.
1818-D Mt. Diablo Blvd.
Walnut Creek, CA 94596-4430
Attn: J.V. Worsley

Herzer Financial Mortgage Fund, LLC
Cheryl C. Rouse
Law Offices of Rouse and Bahlert
345 Franklin St.
San Francisco, CA 94102-4427

Mary C.G. Kaufman
Early Sullivan Wright Gizer & McRae LLP
6420 Wilshire Blvd., 17th Floor
Los Angeles, CA 90048

Damon Bowers
Private Capital Investments
3201 Danville Blvd., #170
Alamo, CA 94507

☒ **BY MAIL** I am readily familiar with the business' practice for collection and processing of correspondence for mailing with the United States Postal Service. The address(es) shown above is(are) the same as shown on the envelope. The envelope was placed for deposit in the United States Postal Service at Buchalter Nemer in San Francisco, California on **April 12, 2013**. The envelope was sealed and placed for collection and mailing with first-class prepaid postage on this date following ordinary business practices.

☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge. Executed on **April 12, 2013**, at San Francisco, California.

☒ I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. Executed on **April 12, 2013**, at San Francisco, California.

Hallina Pohyar

/s/ Hallina Pohyar
(Signature)

13741027v1

Pohyar, Hallina

From: Pohyar, Hallina
Sent: Thursday, April 11, 2013 6:42 PM
To: 'randall@pacificthomas.com'; 'worsleyjill@hotmail.com'; 'lynette.c.kelly@usdoj.gov'; 'keverett@dsi.biz'; 'leith@matlocklawgroup.com'
Cc: Chiang, Craig
Subject: Pacific Thomas Corporation
Attachments: PTC Motion for Turnover Trustee Declaration.PDF; PTC Motion for Turnover.PDF; PTC Motion for Turnover Exhibits to Trustee Declaration.PDF; PTC Motion for Turnover Notice.PDF; PTC Motion for Turnover POS.PDF

Attached please find:

Motion for Turnover
Motion for Turnover Trustee Declaration
Exhibits to Trustee Declaration.PDF
Motion for Turnover Notice.PDF
Motion for Turnover POS.PDF

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Pohyar, Hallina

From: Pohyar, Hallina
Sent: Thursday, April 11, 2013 6:49 PM
To: 'anne-leith@matlocklawgroup.com'
Subject: FW: Pacific Thomas Corporation
Attachments: PTC Motion for Turnover Trustee Declaration.PDF; PTC Motion for Turnover.PDF; PTC Motion for Turnover Exhibits to Trustee Declaration.PDF; PTC Motion for Turnover Notice.PDF; PTC Motion for Turnover POS.PDF

-----Original Message-----

From: Pohyar, Hallina
Sent: Thursday, April 11, 2013 6:42 PM
To: 'randall@pacificthomas.com'; 'worsleyjill@hotmail.com'; 'lynette.c.kelly@usdoj.gov'; 'keverett@dsi.biz'; 'leith@matlocklawgroup.com'
Cc: Chiang, Craig
Subject: Pacific Thomas Corporation

Attached please find:

Motion for Turnover
Motion for Turnover Trustee Declaration
Exhibits to Trustee Declaration.PDF
Motion for Turnover Notice.PDF
Motion for Turnover POS.PDF

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Pohyar, Hallina

From: Chiang, Craig
Sent: Thursday, April 11, 2013 6:49 PM
To: Eric Nyberg (e.nyberg@kornfieldlaw.com); Mary C. G. Kaufman
<mkaufman@earlysullivan.com> (mkaufman@earlysullivan.com);
damon@privatecap.net; Gouldsbury, Walter (WWG@JMBM.com)
Cc: Pohyar, Hallina; Blackler, Mia
Subject: FW: Pacific Thomas Corporation
Attachments: PTC Motion for Turnover Trustee Declaration.PDF; PTC Motion for Turnover.PDF; PTC
Motion for Turnover Exhibits to Trustee Declaration.PDF; PTC Motion for Turnover
Notice.PDF; PTC Motion for Turnover POS.PDF

Please see additional pleadings filed today.

Craig C. Chiang
Senior Counsel
BuchalterNemer, A Professional Corporation
55 Second Street, Suite 1700 | San Francisco, CA 94105-3493 Direct Dial: (415) 227-3533 | Direct Fax: (415) 227-3503 |
Switchboard: (415) 227-0900
Email: cchiang@buchalter.com | www.buchalter.com | Bio